

THURSDAY, SEPTEMBER 11, 2014

The following action minutes are listed as they were acted upon by the Planning Commission and as listed on the agenda for the Regular Meeting of September 11, 2014 together with the maps and staff reports attached thereto and incorporated therein by reference.

HEARINGS ARE ADVERTISED FOR 9:00 A.M. HEARINGS GENERALLY PROCEED IN THE ORDER LISTED, UNLESS CHANGED BY THE PLANNING COMMISSION AT THE MEETING. (08:59 AM)

ROLL CALL (08:59 AM)

PRESENT: Commissioner(s) Eric Meyer, Ken Topping, Don Campbell, Jim Irving, and Tim Murphy.

ABSENT:

FLAG SALUTE (08:59 AM)

PUBLIC COMMENT PERIOD (09:00 AM)

Bud Newman: speaks.

Eric Meyer: comments on Napa County in terms of the level of detail regarding earthquake damage.

Bill Robeson: updates Commissioners on their near term schedule. Introduces Trevor Keith, Manager for Long Range Planning.

Trevor Keith: provides introduces the Resource Management System and the project Managers involved, Mike Wulkan, and Brian Pedrotti.

PLANNING STAFF UPDATES (09:10 AM)

CONSENT AGENDA: (09:10 AM)

HEARINGS: (09:10 AM)

1. Continued hearing to consider a request by the COUNTY OF SAN LUIS OBISPO to amend Chapter 3, Resource Management System, in the Inland and Coastal Framework for Planning documents, Part I of the Land Use and Circulation Elements of the San Luis Obispo County General Plan. The Coastal Zone Framework for Planning document is also part of the Local Coastal Program. The amendment includes: 1) recalculating lead times for responding to Levels of Severity for certain resources, 2) adding highway interchanges as a monitored resource, 3) revising or establishing criteria and recommended actions for Levels of Severity for water supply and systems, wastewater treatment, schools, roads, air quality, and parks, 4) reorganizing text and tables, and 5) updating and clarifying processes, references and other language. This amendment also includes minor clean-up revisions to Chapters 1 and 8 of the Inland and Coastal Framework for Planning to remove outdated references to the Master Water and Sewer Plan and to change reporting of information by agencies to the County from "annually" to "biennially." This project is exempt under CEQA. CONTINUED FROM 7/27/14. County File Number: LRP2008-

00013 Assessor Parcel Numbers: Countywide Supervisorial Districts: All Date
Authorized for Processing: April 21, 2009 Brian Pedrotti, Project Manager
Recommend the Board of Supervisors approval (09:10 AM)

Mike Wulkan, staff: explains the purpose of the Resource Management System (RMS).

Brian Pedrotti, Project Manager: explains the handouts provided and changes sent to the Commissioners.

Jim Irving: reports he viewed the July RMS meeting and is caught up with the item in order to vote on the item.

Eric Meyer: suggests including cost benefit and funding source analysis and would like to know where this should be inserted into the document.

Frank Honeycutt, Public Works: explains this is being analyzed by Public Works and is already being done.

Jim Irving: asks if the Public Works analysis is public record and where is it located with Mr. Honeycutt explaining Public Works calls this their "Circulation Study" which is conducted annually, and goes in front of the Board of Supervisors (BOS) in December.

Eric Meyer: feels the diagram on Pg. 31 of 38 is out of date and would like multi modes of transportation included into the table with Mr. Honeycutt responding. Suggest elimination of Pg. 31 of 38 table. Feels levels of service for each mode of transportation should be included rather than the single mode of transport as indicated on this table.

Jim Irving: suggests referencing the Public Works Circulation element document into the RMS.

Ken Topping: suggests going through the changes and then accept Public Comment.

Brian Pedrotti, Project Manager: discusses other auxiliary water supplies

Tim Murphy: opens Public Comment.

David Larue (Templeton Area Advisory Group -TAAG), William Pelfrey, and Mike Brown (COLAB): speak.

Brian Pedrotti: addresses Public Comment.

Mike Wulkan, staff: additionally responds to Public Comment in terms of moratorium and roads.

Commissioners: begin their deliberations.

Meeting reconvenes.

Brian Pedrotti, Project Manager: explains handout regarding water basins in the county and severity levels given.

Commissioners: continue their deliberations.

Tim Murphy: referring to Pg. 7-38 would like to have the last paragraph re-written with Mr. Pedrotti making clarifications to document. Referring to Pg. 9 of 38 -would like clarification on Item 2 with Mr. Wulkan responding. Pg. 10-38 would like the same format as LOS 1 & 3.

Ken Topping: would like to know how long this RMS has been in place and what is new at this time, with Mr. Pedrotti responding.

Trevor Keith, staff: explains how this RMS alerts the BOS as to any triggers.

Brian Pedrotti, Project Manager: explains the Planning Commission's role in the Resource Capacity Study and the order of which it appears before the Board of Supervisors.

Mike Wulkan, staff: further adds process procedures should the Planning Commission's recommendations involve changes to the General Plan.

Ken Topping: would like to have a drawing inserted to depict a relationship of this system to the land use. Would like this drawing to be a full page, or larger. Asks what the relationship to the housing element the RMS is.

Eric Meyer: discusses rural traffic in terms of inclusion of cal trans corridors and highways. Would like clarification on how this is taken into account. Frank Honeycutt: Public Works: explains Public Works models different communities for traffic flows and they take into account how freeways effect roads & roads effect freeways.

Mike Wulkan, staff: adds one way this can be addressed for new development is to look at updates to area plans and community plans, and designing layouts for plans.

Ken Topping: referring to Pg. 10-38 regarding the length of time the Planning Commission has to review an item in terms of how this is decided with Mr. Wulkan responding.

Eric Meyer: comments on economics of expansion, effects of such, quality of life and weighing those together would like to know where the balance of those are with Mr. Wulkan responding.

Trevor Keith: explains area plan updates engage cities and their decisions in terms of their impact. Further adds RMS is an early warning system to the BOS.

Eric Meyer: feels each road in the county should be included into the Cal Trans corridor and must include Hwy. 101.

Ken Topping: comments on conflict with language in terms of acronyms being used and misunderstood: LOS meaning i.e. Level of Service, and Level of Severity with Mr. Wulkan stating this acronym is spelled out throughout the RMS.

Commissioners: begin review on Pg. 1 of 38,

Jim Irving: line 5 starting with "Assures..." and would like the language to change. States there is physical impact in terms of being exempt from CEQA. Continues on with ".....water supply and competition for water...." and suggests language. Would like the word "competition" eliminated or explained i.e. who are the competing parties.

Mike Wulkan, staff: explains the use of the word "competition" and is agreeable to delete this word.

Jim Irving: description of "Level of Service" (Pg. 1-38, 2nd to the last sentence on page) would like a distinction made, with Mr. Honeycutt responding. Also comments on sentence ".....air quality in some areas is deteriorating" in terms of support in this document with Mr. Pedrotti stating this can be removed, however no current data is available.

Eric Meyer: referring to Pg. 3 of 38, last line of first paragraph before bullet, would like to

know why this sentence was deleted with Mr. Pedrotti explaining.

Jim Irving: suggests when resources are identified within the Land Use Element they should be referenced in the RMS with Mr. Wulkan responding and Mr. Topping reading suggested language into the record.

Brian Pedrotti reads sentence into the record.

Jim Irving: Pg. 5 of 38 regarding discussion of wastewater treatment would like to know if the county operates a waste water treatment on their own.

Frank Honeycutt, Public Works: states the county operates on at Oak Shores, Service Area 7, and the San Luis Obispo Country Club area (CSA12).

Jim Irving: suggests referencing Table F in regards to water supply or assistance in terms of how the demand is calculated. Suggests this be defined on all the tables.

Commissioners: begin discussing Pg. 8 of 38, table with Level of Severity and ask for the word "occurs" to be deleted and replaced with "established".

Commissioners: Pg. 10-38 table. Replace word "occurs" with "is established". Discussion ensues about the word "depletion". Pg. 12 of 38 table -delete "occurs" replace with "is established".

Commissioners: would like the acronym LOS spelled out throughout the document.

Tim Murphy: Pg. 15 of 38 referencing Item 8 in terms of how this is going to be anticipated with Mr. Wulkan responding.

Don Campbell: referring to Pg. 15 of 39 Item 8. the word "retirement". Feels this word is inappropriate with Mr. Wulkan explaining this is intended to be a tool as an option. Jim Irving: has concerns with water offsets in terms of language that mirrors the emergency ordinance.

Ken Topping: discusses the Fiscallini Ranch regarding retiring lots in relationship to a permanent water reduction technique.

Tim McNulty, County Counsel: clarifies the County's on going current lot retirement programs, mitigation funds set up during the large scale solar development, and a tax defaulted lot retirement program in Cayucos and California Valley. Explains reasoning for the accumulation of aggregated lots by the county.

Don Campbell: Pg. 15-38 Item 8 -suggest instead of "retirement" language use "or combining lots" with Mr. McNulty agreeing this language would work too.

Ken Topping: Pg. 15 of 38 LOS 1 & 2 "Recommended Action Requirements", suggests deleting "Requirements" and make consistent throughout the document.

Ken Topping: Pg. 18 of 38, the last sentence referring to three ground water basins - suggests adding the exact number and names of the basins.

Jim Irving: suggests taking out the number "three" and then give specific ground water basin names.

Don Campbell: Pg. 18 of 38 top of page c. -suggests deletion of sentence and provides reasoning.

Tim McNulty, County Counsel: suggests Pg. 17 be modified to change regarding "The policies in the COSE" state".

Commissioners: begin review of Pg. 20 of 38, Table F.

Ken Topping: referring to Level of Severity III -asks why metering cannot be instituted before a Level 3 of severity is determined.

Jim Irving: asks if Paso Robles succeeds in establishing a water district, would it supersede the Resource Capacity Study (RCS). Will the district have discretion on use of water, or will the discretion be up to the Board of Supervisors (BOS) -who will have the primary discretion.

Tim McNulty, County Counsel: explains once the bill is signed then it will be brought forward to Local Area Formation Commission (LAFCO) who will define the boundaries. Further explains the county retains historic ability to regulate land use. Reports there is also a provision that allows the county to impose a charge for managing ground water subject to Proposition 218.

Tim Murphy: referring to Pg. 20 of 38, has a concern for "Water demand projected over 15 to 20 years" and provides a scenario.

Mike Wulkan, staff: states the calculation comes from the Water Resources Advisory Committee (WRAC).

Jim Irving: Pg 20 of 38 thinks Table F, Block LOS II, Item 2. asks if this should be Item 1. and should also appear in Block LOS I.

Frank Honeycutt, Public Works: Pg. 20 of 38 recommends a longer period of time should be considered.

Commissioners: deliberate the county level of severity table.

Jim Irving: Pg. 20 of 38 -would like clarification on why LOS III recommended action 2. is not the same as number 2. on Table G. with Mr. Pedrotti stating this will be corrected.

Commissioners: Pg. 20 of 38 Table F. LOS III, would like demand projected to 10 years. Begin review of Pg. 26 of 38, Table I, then begin review of Pg. 26 of 38, Table I.

Jim Irving: referring to Pg. 27 of 38, bullet point 6, in terms of "Frequent pumping" -asks how often "frequent".

Trevor Keith, staff: reports this is being referenced based on the Health Department and the Regional Water Quality Control Board (RWQCB) and can be researched..

Jim Irving: states the regional board has authority to exceed state's requirements and feels it important to include more definition.

Commissioners: change Pg. 26 of 38 LOS II to add "or".

Eric Meyer: referring to Pg. 28 of 38, last sentence on page "Roads, Circulation, Highway Interchanges: Level of Severity Criteria and Recommended Actions" -would like to see ".....Roads, Circulation, and Highway 101" to capture highway corridors to allow improvement to happen.

Don Campbell: referring to Pg. 28 of 38 -would like clarification on what "transportation facilities" are with Mr. Pedrotti responding.

Frank Honeycutt, Public Works: encourages the Commissioners to think multi model in terms of Pg. 28 of 38 and the sentence that begins with "Traffic congestion.....". Needs Commissioners to define specifically the language.

Tim McNulty, County Counsel: comments in terms of management of Highway 101, states there is effort on behalf of the San Luis Obispo Council of Governments (SLOCOG) establishing a US 101 Mobility Study, identifying all improvements necessary for foreseeable growth.

Eric Meyer: Pg. 28 of 38 would like to add all modes of travel with Mr. Pedrotti responding.

Commissioners: referring to Pg. 29 of 38 would like the table heading to change to add "Resource Capacity Study".

Jim Irving: referring to Pg. 30 of 38 -feels this page should be edited to highlight in bold "Levels of Service". Referring to Pg. 34 of 38 in reference to the APCD and does not want them restricting developments as a result of pollutants coming from other counties. Asks staff if it is possible to add a sentence such as "The Air Pollution Control District (APCD) shall not declare a Level of Severity III (LOS III) where it is concluded that pollutants are coming from another county".

Ken Topping: asks what is the relationship between the Growth Management Ordinance (GMO) and the Resource Management Study (RMS).

Brian Pedrotti, Project Manager: directs Commissioners to the Introduction Pg. 1 of 38, table, which shows the relationships to the RMS.

Commissioners: all agree with the diagram.

Don Campbell: asks why the Community Advisory Councils are claiming they have not seen this draft and yet staff claims they have been circulated. States he is frustrated with the disconnect in communication with Mr. Keith responding.

Tim Murphy: feels the definition of "dependable water sources is inappropriate because it does not include all sources of water and provides reasoning.

Commissioners: would like the definition to be inclusive of surface water and ground water, desalinated water, and any sources of water.

Mike Wulkan, staff: states the Commissioners request will be included on Page 20.

Commissioners: share their concern regarding the "Dependable" supply of water sources and would like make the definition broad which covers surface water, desalinated water, recycled waste water, and any other water sources, in addition to ground water. Commissioners also request the final document be re-circulated to all Community Advisory Councils.

Tim McNulty, County Counsel: confirms with staff the recommendation language the Commissioners would like conveyed to the Board of Supervisors.

Thereafter, on motion of Jim Irving, no second required, and on the following vote:

AYES: Commissioner(s) Jim Irving, Eric Meyer, Ken Topping, Don Campbell, Tim Murphy.

NOES: None.

ABSENT: None.

The Commission recommends the Board of Supervisors approve this General Plan Amendment LRP2008-00013, by amending Chapter 3, Resource Management System in the Inland and Coastal Framework for Planning documents, including minor clean up revisions to Chapters 1 and 8 of the Inland and Coastal Framework for Planning. Remove outdated references to the master water and sewer plan; Change reporting of information by agencies to the County from "annually" to "bi-annually" and amendments made at this meeting, based on the findings listed in Exhibit A.

Thereafter, on motion of Jim Irving, seconded by Don Campbell, and on the following vote:

AYES: Commissioner(s) Jim Irving, Don Campbell, Eric Meyer, Ken Topping, Tim Murphy.

NOES: None.

ABSENT: None.

The Commission accepts all correspondence entered into the record for this meeting.

Thereafter, on motion of Jim Irving, seconded by Don Campbell, and on the following vote:

AYES: Commissioner(s) Jim Irving, Don Campbell, Eric Meyer, Ken Topping, Tim Murphy.

NOES: None.

ABSENT: None.

The Commission adjourns to the next regularly scheduled Planning Commission meeting on September 25, 2014.

ADJOURNMENT: 4:28 PM.

Respectfully submitted,
Ramona Hedges, Secretary
SLO County Planning Commission
MINUTES APPROVED AT THE 11/6/14 PC.

5. Hearing to consider a request by the COUNTY OF SAN LUIS OBISPO to amend Chapter 3, Resource Management System, in the Inland and Coastal Framework for Planning documents, Part I of the Land Use and Circulation Elements of the San Luis Obispo County General Plan. The Coastal Zone Framework for Planning document is also part of the Local Coastal Program. The amendment includes: 1) recalculating lead times for responding to Levels of Severity for certain resources, 2) adding highway interchanges as a monitored resource, 3) revising or establishing criteria and recommended actions for Levels of Severity for water supply and systems, wastewater treatment, schools, roads, air quality, and parks, 4) reorganizing text and tables, and 5) updating and clarifying processes, references and other language. This amendment also includes minor clean-up revisions to Chapters 1 and 8 of the Inland and Coastal Framework for Planning to remove outdated references to the Master Water and Sewer Plan and to change reporting of information by agencies to the County from "annually" to "biennially." This project is exempt under CEQA. County File Number: LRP2008-00013 Assessor Parcel Numbers: Countywide
Supervisory Districts: All Date Authorized for Processing: April 21, 2009
Brian Pedrotti, Project Manager Recommend to the Board of Supervisors
Approval

POST HEARING DETERMINATION: CONT'D TO SEPTEMBER 11TH. (11:06 AM)

Brian Pedrotti, Project Manager: presents the Resource Management System update via a Power Point presentation.

Tim Murphy: would like to know how water demand is projected with Mr. Pedrotti explaining this is projected through population projections through our General Plan.

James Caruso, staff: further clarifies how these projections are met.

Tim Murphy: asks Mr. Caruso if projects of agricultural use are conducted with Mr. Caruso responding.

Don Campbell: asks how the figure of 80% for agricultural water use was calculated with Mr. Caruso explaining these figures come from the Public Works Department. States his calculations are much less than what was noted per the difference between the 1979 water study and the 2011 AB3030 study, and states the difference is listed as 54% and Mr. Caruso stating it is 80% of the basin being pumped.

Mike Wulkan, staff: explains the Coastal Commission's letter comment regarding making the water supply criteria more clear. Directs Commissioners to where the suggested language by the Coastal Commission was inserted.

Ken Topping: would like to know about recycled water in terms of water re-use and provides Orange County as an example. Would like to know if this may be considered with Mr. Wulkan clarifying this includes the over all supply.

Tim Murphy: opens public comment.

Bill Pelfrey: speaks.

Meeting went into Recess

Meeting Reconvened. Commissioners begin examining changes and deliberating.

Brian Pedrotti, Project Manager: reports Pg-5-83 is where Exhibit C begins as there is no heading to indicate "Exhibit C".

Commissioners: request to work from a clean version of the exhibits.

Mike Wulkan, staff: addresses Public Comment.

Commissioners: discuss the water ratios established by the board of Supervisors (BOS) in terms of Chapter 3 revisions.

Don Campbell: referring to Revised Exhibit B, Pg. 55 of 68, points out the ratio of 2:1, and feels this should be 1:1 as per the Board of Supervisors (BOS) approval.

Commissioners: begin review of Revised Exhibit B on Pg. 41 of 68 -focusing on grammatical errors. First paragraph, last sentence changes per Mr. Wulkan's language read into the record.

Ken Topping: would like the General Plan referenced in the introduction on Pg. 41-68, with Mr. Wulkan explaining the process of preparing the biannual report.

Tim Murphy: opens Public Comment

Richard Margetson: speaks in terms of the 2:1 ratio in regards to Los Osos.

Commissioners: begin discussing Pg. 42 of revised Exhibit B.

Don Campbell: referring to Pg. 54-68, would like to have the reference to "distribution" deleted and provides reasoning, with Mr. Wulkan responding.

Ken Topping: is concerned with edits and would like them noted. Suggests color coding the changes made with staff stating this is possible.

Commissioners: discuss the word "distribution" in terms of water, and would like this word delineated.

Don Campbell: referring to Pg. 55-68 regarding the 2:1 ratio would like this further defined or changed, especially in terms of agriculture.

Frank Honeycutt, Public Works: discusses county collection of well data in that it is confidential.

Commissioners: referring to Pg. 55 of 68, discuss the Level III 15 year projected water demand in terms of severity and would like this calculation analyzed as per Pg. 49 and request this to be consistent throughout the document.

Commissioners: begin review of Pg. 58 of 68, Table H, in terms of the qualification with the Regional Water Quality Control Board (RWQCB). Review of Pg. 62 road criteria.

Eric Meyer: suggests analyzing and including alternative modes of transportation in terms of Levels of Service.

Frank Honeycutt, Public Works: provides reasoning for standards for cars in circulation studies rather than alternative modes of transportation. States alternative modes of transportation are addressed elsewhere.

Frank Honeycutt, Public Works: comments on maintenance and will work with the Planning Department to get language to reinforce concern including the phrase "transportation management".

Eric Meyer: comments on the different classification of bicycle paths: Class 1 is maintained by the Parks Department, and Class 2, and 3 are maintained by the Public Works Department. Suggests Class 1 be established within Public Works Department instead of the Parks Department and provides reasoning.

Commissioners: discuss Pg. 67 of 68 regarding Parks criteria

Brian Pedrotti, Project Manager: provides a brief distinction between Coastal and Inland zone land use ordinances.

KenTopping: in terms of the next discussion on this subject, suggests a legend representing the distinction between Chapter 3 and how it relates to land use and circulation. Uses table on Pg. 48. as an example. Would also like the biannual report as a separate process.

Tim Murphy: comments in terms of the next discussion -suggests a memorandum explaining water demand and supply and how that is calculated.

Thereafter, on motion of Ken Topping, seconded by Eric Meyer, and on the following vote:

AYES: Commissioner(s) Ken Topping, Eric Meyer, Don Campbell, Tim Murphy.

NOES: None.

ABSENT: Commissioner(s) Jim Irving.

The Commission continues this item to September 11, 2014.

Thereafter, on motion of Eric Meyer, seconded by Don Campbell, and on the following vote:

AYES: Commissioner(s) Eric Meyer, Don Campbell, Ken Topping, Tim Murphy.

NOES: None.

ABSENT: Commissioner(s) Jim Irving.

The Commission accepts all correspondence entered into the record.

Thereafter, on motion of Don Campbell, seconded by Ken Topping, and on the following vote:

AYES: Commissioner(s) Don Campbell, Ken Topping, Eric Meyer, Tim Murphy.

NOES: None.

ABSENT: Commissioner(s) Jim Irving.